

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

UNITED STATES OF AMERICA)
)
)
v.) **CR. No. 2:23-cr-20191-MSN**
)
EMMITT MARTIN, III)

MOTION FOR COUNSEL TO APPEAR VIA VIDEO OR TELEPHONE

Emmitt Martin, III, through counsel, moves this Court to permit undersigned counsel Stephen Ross Johnson and Catalina L.C. Goodwin, whose law offices are in Knoxville, Tennessee, to appear via video or telephone for the hearing presently scheduled for February 20, 2025, at 2:00 pm. (Setting Letter for Hearing re: Acquitted Conduct/Cross-Referencing (Bifurcation), ECF No. 750, PageID 15110). Mr. Martin and the government have jointly provided notice to this Court of their position that separate consideration of the issues to be addressed at the hearing is necessary for Mr. Martin because his well-documented mental health diagnoses make him differently situated from his codefendants, who have challenged the cross-reference based on acquitted conduct. (Joint Position on Sentencing Hearing for Mr. Martin, ECF No. 776, PageID 15247). Because of the parties' joint position that Mr. Martin requires separate consideration, and due to travel concerns with winter weather across the state, attorneys Stephen Ross Johnson and Catalina L.C. Goodwin request leave to appear via video or telephone while attorney William D. Massey appears in person with Mr. Martin.

After conferring with government's counsel, the undersigned is authorized to represent that the government does not take a position on this motion.

Respectfully submitted this 19th day of February , 2025.

RITCHIE, JOHNSON & STOVALL, P.C.

/s/Stephen Ross Johnson

STEPHEN ROSS JOHNSON [TN BPR No. 022140]
CATALINA L.C. GOODWIN [TN BPR No. 038660]
606 W. Main Street, Suite 300
Knoxville, TN 37902
(865) 637-0661
johnson@rjs.law
goodwin@rjs.law

THE LAW OFFICE OF MASSEY MCCLUSKY
FUCHS & BALLENGER

/s/ William D. Massey

WILLIAM D. MASSEY [BPR No. 9568]
3074 East Road
Memphis, TN 38128
(901) 384-4004
w.massey3074@gmail.com

CERTIFICATE OF SERVICE

I certify that on February 19, 2025, a copy of the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. mail. Parties may access this filing through the Court's electronic filing system.

s/Stephen Ross Johnson